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June 21, 2006

**VIA EFS-WEB**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re **PATENT** application of:

Applicant(s): Michiyo YANASE et al. Art Unit: Not Yet Assigned

Serial No: 10/560,491

Filed: December 12, 2005 Examiner: Not Yet Assigned

Title: **A METHOD FOR IMPROVING THE THERMOSTABILITY OF  
 $\alpha$ -GLUCAN PHOSPHORYLASE (GP)**

**REQUEST FOR REFUND**

Accounting Division - Receipts  
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<i>Date</i>	<i>Fee Code</i>	<i>Fee</i>	<i>Fee Amount</i>	<i>Paid</i>	<i>Refund</i>
04/11/2006	1681	Utility Application Fee - for each additional 50 sheets that exceeds 100 pages	\$500.00	\$1,250.00	\$750.00
<b>Total Refund Requested</b>					<b>\$750.00</b>

EXPLANATION OF WHY CHARGES ARE IN ERROR

The charges listed above correspond to "Additional 50 sheets that exceeds 100 pages". The fees for the "Additional 50 sheets that exceeds 100 pages" was paid in full on December 12, 2005 in the amount of \$500.00 (191 pages minus 100 pages = 91 pages divided by 50 = 2 times \$250 each set = \$500). An additional charge on April 11, 2006 in the amount of \$750.00 for "Additional 50 sheets that exceeds 100 pages" is incorrect. The Specification filed on December 12, 2005 contained the following page count:

	<u>Pages</u>
Specification =	159
Claims =	13
Abstract =	1
Drawings =	<u>18</u>
TOTAL =	191

Please see the attached printout of the Image File Wrapper from the USPTO PAIR System indicating total specification pages of 191. Also attached is the Patent Application Fee Determination Record printed from the USPTO PAIR System showing an incorrect "Fee for Extra Spec. Pgs." of 333 pages with our mark-up of the correct charges for 191 pages

Attached is §1.821 of the Patent Rules pertaining to Sequence Listings. The Sequence Listing submitted on diskette with the application on December 12, 2005 was not submitted as an Application Part. A refund is requested for the "Fee for Extra Spec Pgs." of 142 pages (191+142=333) ( $142/50 = 3 \times \$250 = \$750$ ) of the Sequence Listing.

A refund in the amount of \$750.00 is respectfully requested.

Respectfully submitted,

/Mark D. Saralino/

Mark D. Saralino, Reg. No. 34,243  
 RENNER, OTTO, BOISSELLE & SKLAR, L.L.P.  
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 Cleveland, Ohio 44115  
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10/560,491

METHOD OF HEAT-STABILIZING A-GLUCAN PHOSPHO

Select New Case	Application Data	Transaction History	Image File Wrapper	Continuity Data	Foreign Priority	Address & Attorney/Agent
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This application is officially maintained in electronic form. To View: Click the desired Download and Print: Check the desired document(s) and click Start Download.

## Available Documents

Document		Description	Document Category	Page Count
Mail Room Date				
		Notice of DO/EO Missing Requirements Mailed	PROSECUTION	2
04-12-2006		CRF entered - partial listing printed by STIC	PROSECUTION	8
12-21-2005		Miscellaneous Internal Document	PROSECUTION	1
12-12-2005		Fee Worksheet (PTO-875)	PROSECUTION	1
12-12-2005		Fee Worksheet (PTO-875)	PROSECUTION	1
12-12-2005		Claims Worksheet (PTO-2022)	PROSECUTION	1
12-12-2005		Documents submitted with 371 Applications	PROSECUTION	4
12-12-2005		Documents submitted with 371 Applications	PROSECUTION	125
12-12-2005		Abstract	PROSECUTION	1
12-12-2005		Foreign Priority Papers Filed	PROSECUTION	410
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12-12-2005		Specification	PROSECUTION	159
12-12-2005		Claims	PROSECUTION	13
12-12-2005		Abstract	PROSECUTION	1
12-12-2005		Drawings	PROSECUTION	18

12-12-2005	<a href="#">Sequence Listing</a>	PROSECUTION	142
12-12-2005	<a href="#">Fee Worksheet (PTO-875)</a>	PROSECUTION	1
12-12-2005	<a href="#">Information Disclosure Statement (IDS) Filed</a>	PROSECUTION	3
12-12-2005	<a href="#">Foreign Reference</a>	PRIOR ART	18
12-12-2005	<a href="#">NPL Documents</a>	PROSECUTION	2
12-12-2005	<a href="#">NPL Documents</a>	PRIOR ART	5
12-12-2005	<a href="#">NPL Documents</a>	PRIOR ART	8
12-12-2005	<a href="#">NPL Documents</a>	PRIOR ART	7
12-12-2005	<a href="#">NPL Documents</a>	PRIOR ART	8
12-12-2005	<a href="#">Abstract</a>	PROSECUTION	1
12-12-2005	<a href="#">Documents submitted with 371 Applications</a>	PROSECUTION	129

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# PATENT APPLICATION FEE DETERMINATION RECORD

Effective December 8, 2004

Application or Docket Number

10/560,491

## CLAIMS AS FILED - PART I

SMALL ENTITY  
TYPE ☐ OR

OTHER THAN  
SMALL ENTITY

	(Column 1)	(Column 2)
U.S. NATIONAL STAGE FEES		
BASIC FEE	SMALL ENT. = \$ 150	LARGE ENT. = \$ 300
EXAMINATION FEE	Satisfies PCT Article 33(1): (4) = \$ 50 / \$ 100	All other situations = \$ 100 / \$ 200
SEARCH FEE	U.S. is USA = \$ 50 / \$ 100 ALL other countries = \$ 200 / \$ 400	All other situations = \$ 250 / \$ 500
FEE FOR EXTRA SPEC. PGS.	333 minus 100 =	233 / 50 = 5
TOTAL CHARGEABLE CLAIMS	40 minus 20 =	20
INDEPENDENT CLAIMS	6 minus 3 =	3
MULTIPLE DEPENDENT CLAIM PRESENT		<input type="checkbox"/>

RATE	FEE
BASIC FEE	
EXAM. FEE	
SEARCH FEE	
X \$ 125 =	
X \$ 25 =	
X \$ 100 =	
+ \$ 180 =	
TOTAL	

RATE	FEE
BASIC FEE	300
EXAM. FEE	200
SEARCH FEE	400
X \$ 250 =	1250
X \$ 50 =	1000
X \$ 200 =	600
+ \$ 360 =	
TOTAL	

\* If the difference in column 1 is less than zero, enter "0" in column 2

## CLAIMS AS AMENDED - PART II

SMALL ENTITY OR

OTHER THAN  
SMALL ENTITY

	(Column 1)	(Column 2)	(Column 3)
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total	*	Minus	**
Independent	*	Minus	***
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM			<input type="checkbox"/>

RATE	ADDITIONAL FEE
X \$ 25 =	
X \$ 100 =	
+ \$ 180 =	
TOTAL ADIT. FEE	

RATE	ADDITIONAL FEE
X \$ 50 =	
X \$ 200 =	
+ \$ 360 =	
TOTAL ADIT. FEE	

via  
credit  
card.

	(Column 1)	(Column 2)	(Column 3)
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total	*	Minus	**
Independent	*	Minus	***
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM			<input type="checkbox"/>

RATE	ADDITIONAL FEE
X \$ 25 =	
X \$ 100 =	
+ \$ 180 =	
TOTAL ADIT. FEE	

RATE	ADDITIONAL FEE
X \$ 50 =	
X \$ 200 =	
+ \$ 360 =	
TOTAL ADIT. FEE	

\* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

\*\* If the "Highest Number Previously Paid For" in THIS SPACE is less than "20", enter "20".

\*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than "3", enter "3".  
The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

PATENT APPLICATION SERIAL NO. 10/560,491

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE  
FEE RECORD SHEET

12/19/2005 AIRRM1 00000044 10560491

01 FC:1631	✓ 300.00 DP
02 FC:1632	✓ 200.00 DP
03 FC:1632	✓ 300.00 DP
04 FC:1681	✓ 500.00 DP
05 FC:1615	✓ 1000.00 DP
06 FC:1614	✓ 400.00 DP

2900

191 pgs. not  
333

04/11/2006 AIRMS02 00000004 100988 10560491

01 FC:1642		400.00 DP
02 FC:1681	650.00 DA	100.00 DP
03 FC:1614	200.00 DA	

83 FC:1632

-500.00 DP

PTO-1556  
(5/87)

U.S. Government Printing Office: 2002 — 480-347/60023

Conf. no. → 1-378\*96855  
→ no return call received.  
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(b) Patent applications which contain disclosures of nucleotide and/or amino acid sequences, in accordance with the definition in paragraph (a) of this section, shall, with regard to the manner in which the nucleotide and/or amino acid sequences are presented and described, conform exclusively to the requirements of §§ 1.821 through 1.825.

(c) Patent applications which contain disclosures of nucleotide and/or amino acid sequences must contain, as a separate part of the disclosure, a paper or compact disc copy (see § 1.52(e)) disclosing the nucleotide and/or amino acid sequences and associated information using the symbols and format in accordance with the requirements of §§ 1.822 and 1.823. This paper or compact disc copy is referred to elsewhere in this subpart as the "Sequence Listing." Each sequence disclosed must appear separately in the "Sequence Listing." Each sequence set forth in the "Sequence Listing" must be assigned a separate sequence identifier. The sequence identifiers must begin with 1 and increase sequentially by integers. If no sequence is present for a sequence identifier, the code "000" must be used in place of the sequence. The response for the numeric identifier <160> must include the total number of SEQ ID NOs, whether followed by a sequence or by the code "000."

(d) Where the description or claims of a patent application discuss a sequence that is set forth in the "Sequence Listing" in accordance with paragraph (c) of this section, reference must be made to the sequence by use of the sequence identifier, preceded by "SEQ ID NO:" in the text of the description or claims, even if the sequence is also embedded in the text of the description or claims of the patent application.

(e) A copy of the "Sequence Listing" referred to in paragraph (c) of this section must also be submitted in computer readable form (CRF) in accordance with the requirements of § 1.824. The computer readable form must be a copy of the "Sequence Listing" and may not be retained as a part of the patent application file. If the computer readable form of a new application is to be identical with the computer readable form of another application of the applicant on file in the Office, reference may be made to the other application and computer readable form in lieu of filing a duplicate computer readable form in the new application if the computer readable form in the other application was compliant with all of the requirements of this subpart. The new application must be accompanied by a letter making such reference to the other application and computer readable form, both of which shall be completely identified. In the new application, applicant must also request the use of the compliant computer readable "Sequence Listing" that is already on file for the other application and must state that the paper or compact disc copy of the "Sequence Listing" in the new application is identical to the computer readable copy filed for the other application.

(f) In addition to the paper or compact disc copy required by paragraph (c) of this section and the computer readable form required by paragraph (e) of this section, a statement that the "Sequence Listing" content of the paper or compact disc copy and the computer readable copy are the same must be submitted with the computer readable form, e.g., a statement that "the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing."

(g) If any of the requirements of paragraphs (b) through (f) of this section are not satisfied at the time of filing under 35 U.S.C. 111(a) or at the time of entering the national stage under 35 U.S.C. 371, applicant will be notified and given a period of time within which to comply with such requirements in order to prevent abandonment of the application. Any submission in reply to a requirement under this paragraph must be accompanied by a statement that the submission includes no new matter.

(h) If any of the requirements of paragraphs (b) through (f) of this section are not satisfied at the

time of filing an international application under the Patent Cooperation Treaty (PCT), which application is to be searched by the United States International Searching Authority or examined by the United States International Preliminary Examining Authority, applicant will be sent a notice necessitating compliance with the requirements within a prescribed time period. Any submission in reply to a requirement under this paragraph must be accompanied by a statement that the submission does not include matter which goes beyond the disclosure in the international application as filed. If applicant fails to timely provide the required computer readable form, the United States International Searching Authority shall search only to the extent that a meaningful search can be performed without the computer readable form and the United States International Preliminary Examining Authority shall examine only to the extent that a meaningful examination can be performed without the computer readable form.

[Added, 55 FR 18230, May 1, 1990, effective Oct. 1, 1990; para. (h) amended, 58 FR 9335, Jan. 14, 1993, effective May 1, 1993; revised, 63 FR 29620, June 1, 1998, effective July 1, 1998; paras. (c), (e), and (f) revised, 65 FR 54604, Sept. 8, 2000, effective Sept. 8, 2000 (effective date corrected, 65 FR 78958, Dec. 18, 2000); para. (a) revised, 70 FR 10488, Mar. 4, 2005, effective Mar. 4, 2005]

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